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8 **IN THE UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 LUCKY LAKE FARM & WATER LIMITED
11 PARTNERSHIP, a Saskatchewan Limited
Partnership; and SWIFT RIVER FARMS
12 LTD., an Alberta corporation;

13 Plaintiffs,

14 vs.

15 GORDON CLARK, an individual; *et al.*,

16 Defendants.

17 Case No.: 2:23-cv-01768-GMN-MDC

18 **STIPULATION AND [PROPOSED]**
ORDER REGARDING EXTENDING
TEMPORARY RESTRAINING ORDER,
EXTENDING TEMPORARY
RESTRAINING ORDER, AND
EXTENDING TIME FOR
DEFENDANTS GORDON CLARK,
RODNEY KOCH, CINDY LOU ELLEN
KOCH, KRYSYAL LEE CLARK, LA
BELLA VITA INTERNATIONAL,
EQUINE SALES, LLC, TW
INTERNATIONAL INVESTMENTS,
LTD., LIQUID LUXURY GROUP, LLC,
AND BLACKSTONE LUXURY GROUP,
LLC TO FILE RESPONSIVE
PLEADING TO FIRST AMENDED
COMPLAINT

21 Plaintiffs LUCKY LAKE FARM & WATER LIMITED PARTNERSHIP and SWIFT
22 RIVER FARMS LTD. and Defendants GORDON CLARK, RODNEY KOCH, CINDY LOU
23 ELLEN KOCH, KRYSYAL LEE CLARK, LA BELLA VITA INTERNATIONAL EQUINE
24 SALES, LLC, TW INTERNATIONAL INVESTMENTS, LTD., LIQUID LUXURY GROUP,
25 LLC, and BLACKSTONE LUXURY GROUP, LLC (collectively “Certain Defendants”¹), by
26 and through their respective counsel, hereby stipulate and agree to the following:

27 ¹ Defendants GORDON CLARK, RODNEY KOCH, CINDY LOU ELLEN KOCH, and
28 KRYSYAL LEE CLARK shall be referred to herein as “TRO Defendants.”

PROCEDURAL BACKGROUND

1. On November 13, 2023, this Court entered a Temporary Restraining Order
2 (Docket No. 9) freezing the assets of TRO Defendants, including real properties located at 6214
3 Desert Flora Avenue, Las Vegas, Nevada (APN: 125-23-612-033) (“Desert Flora Property”) and
4 6172 Luna View Avenue, Las Vegas, Nevada (APN: 125-23-612-033) (“Luna View Property”).
5 The Temporary Restraining Order was set to expire on November 27, 2023, at 5:00 p.m.

6. On November 16, 2023, Plaintiffs filed an Ex Parte Motion to Extend Expiration
7 of Temporary Restraining Order and Corresponding Deadlines [First Request] (Docket No. 17)
8 to extend the expiration of the Temporary Restraining Order to December 4, 2023, at 5:00 p.m.
9 On November 17, 2023, this Court entered a Minute Order in Chambers (Docket No. 21)
10 extending the Temporary Restraining Order expiration to November 29, 2023, at 5:00 p.m.

11. On December 5, 2023, Plaintiffs filed their First Amended Complaint (Docket
12 No. 30).

13. On December 7, 2023, Plaintiffs and TRO Defendants filed a Stipulation and
14 [Proposed] Order Extending Temporary Restraining Order [First Request] (Docket No. 32)
15 whereby the parties agreed to extend the Temporary Restraining Order (ECF 9) to expire on
16 February 13, 2024, at 5:00 p.m., as well as extending TRO Defendants’ time to respond to
17 Plaintiffs’ Motion for Preliminary Injunction to January 26, 2024, with Plaintiffs’ Reply being
18 extended to February 2, 2024. The Court filed the Order Extending Temporary Restraining Order
19 on December 7, 2023 (Docket No. 33).

20. On December 19, 2023, Plaintiffs and TRO Defendants filed a Stipulation and
21 [Proposed] Order Extending Time for Defendants Gordon Clark, Rodney Koch, Cindy Lou Ellen
22 Koch, and Krystal Lee Clark to File Answer to First Amended Complaint [First Request] (Docket
23 No. 34) extending TRO Defendants’ time to answer the First Amended Complaint to January 9,
24 2024. The Court filed the Order Extending Time for Defendants Gordon Clark, Rodney Koch,
25 Cindy Lou Ellen Koch, and Krystal Lee Clark to File Answer to First Amended Complaint on
26 December 20, 2023 (Docket No. 35).

27. On January 9, 2024, Plaintiffs and TRO Defendants filed a Stipulation and
28 [Proposed] Order Extending Time for Defendants Gordon Clark, Rodney Koch, Cindy Lou Ellen
29

1 Koch, and Krystal Lee Clark to File Answer to First Amended Complaint [Second Request]
 2 (Docket No. 37) extending TRO Defendants' time to answer the First Amended Complaint to
 3 February 9, 2024. The Court filed the Order Extending Time for Defendants Gordon Clark,
 4 Rodney Koch, Cindy Lou Ellen Koch, and Krystal Lee Clark to File Answer to First Amended
 5 Complaint on January 11, 2024 (Docket No. 38).

6 7. On January 23, 2024, Plaintiffs and TRO Defendants filed a Stipulation and
 8 [Proposed] Order Extending Temporary Restraining Order [Third Request²] (Docket No. 41)
 9 whereby the parties agreed to extend the Temporary Restraining Order (ECF 9) to expire on April
 10 15, 2024, at 5:00 p.m., as well as extending TRO Defendants' time to respond to Plaintiffs'
 11 Motion for Preliminary Injunction to March 28, 2024, with Plaintiffs' Reply being extended to
 12 April 4, 2024. The Court filed the Order Extending Temporary Restraining Order on January
 13 23, 2024 (Docket No. 42).

14 8. On January 25, 2024, the Court entered a Minute Order in Chambers (Docket No.
 15 52) extending the hearing related to the Plaintiffs' Motion for Preliminary Injunction to April 15,
 16 2024, at 10:00 a.m.

17 9. On February 1, 2024, Defendants LA BELLA VITA INTERNATIONAL
 18 EQUINE SALES, LLC, TW INTERNATIONAL INVESTMENTS, LTD., LIQUID LUXURY
 19 GROUP, LLC, and BLACKSTONE LUXURY GROUP, LLC ("Waiver Defendants"), filed
 20 Waivers of Service (Docket Nos. 55-58), which were dated January 24, 2024. As such, Waiver
 21 Defendants' responsive pleadings to the First Amended Complaint (Docket No. 30) was due
 22 March 25, 2024.

23 10. Plaintiffs and Defendant LA BELLA VITA EQUESTRIANS, LLC ("Dismissed
 24 Defendant") entered into a Stipulation for Dismissal wherein it was stipulated and agreed upon
 25 that Dismissed Defendant would be dismissed from this action on March 12, 2024 (Docket No.
 26 65).

27 11. The Court entered its Order Granting Stipulation to Dismiss Defendant La Bella
 Vista Equestrian, LLC Without Prejudice on March 12, 2024 (Docket No. 66).

~o 2 This was inadvertently titled a third request, when it should have been a second request.

12. On March 20, 2024, Plaintiffs, TRO Defendants, and Waiver Defendants executed and filed Stipulation and [proposed] Order Regarding Modifying Temporary Restraining Order, Extending Temporary Restraining Order, and Extending Time for Defendants Gordon Clark, Rodney Koch, Cindy Lou Ellen Koch, Krystal Lee Clark, La Bella Vita International, Equine Sales, LLC, TW International Investments, Ltd., Liquid Luxury Group, LLC, and Blackstone Luxury Group, LLC to File Responsive Pleading to First Amended Complaint (Docket No. 67) whereby the parties agreed to extend the Temporary Restraining Order (Docket No. 9) to expire on June 14, 2024, at 5:00 p.m., extend the TRO Defendants' time to respond to Plaintiffs' Motion for Preliminary Injunction to May 29, 2024, with Plaintiffs' Reply being extended to June 3, 2024, and extend the TRO Defendants' and Waiver Defendants' time to file a responsive pleading to the First Amended Complaint to May 24, 2024.

13. The Court filed the Order Regarding Modifying Temporary Restraining Order, Extending Temporary Restraining Order, and Extending Time for Defendants Gordon Clark, Rodney Koch, Cindy Lou Ellen Koch, Krystal Lee Clark, La Bella Vita International, Equine Sales, LLC, TW International Investments, Ltd., Liquid Luxury Group, LLC, and Blackstone Luxury Group, LLC to File Responsive Pleading to the First Amended Complaint on March 22, 2024, which continued the Preliminary Injunction Hearing to June 10, 2024, at 11:00 a.m. (Docket No. 68).

STIPULATION

14. The parties have been actively engaged in settlement discussions, which has resulted in a signed settlement agreement that requires the continued good faith efforts of the parties. Pursuant to a General Settlement Agreement and Mutual Release of Claims (“Settlement Agreement”), dated December 26, 2023, between Plaintiffs and Certain Defendants, the parties agreed to take certain steps to resolve this matter, including marketing and selling the Desert Flora Property and Luna View Property, which are identified in the Temporary Restraining Order. As part of that agreement, Plaintiffs agree to waive enforcement of the Temporary Restraining Order regarding the sale of the Desert Flora Property and leave the Temporary Restraining Order in place for the remainder of real and personal assets under the Temporary Restraining Order for purposes of moving forward with the Settlement Agreement. Accordingly,

1 with the parties working together, on or about February 15, 2024, the Desert Flora Property was
 2 sold. Further, the Luna View Property is listed for sale with the intent to sell the Luna View
 3 Property pursuant to the Settlement Agreement. Accordingly, the parties stipulated and agreed
 4 to modify the Temporary Restraining Order (Docket No. 9) to remove the provision that enjoins
 5 TRO Defendants from “transferring, selling, disposing, pleading, assigning, or encumbering the
 6 real and personal property,” including the Desert Flora Property, in the Stipulation and Order
 7 Regarding modifying Temporary Restraining Order, Extending Temporary Restraining Order,
 8 and Extending Time for Defendants Gordon Clark, Rodney Koch, Cindy Lou Ellen Koch,
 9 Krystal Lee Clark, La Bella Vita International, Equine Sales, LLC, TW International
 10 Investments, Ltd., Liquid Luxury Group, LLC, and Blackstone Luxury Group, LLC to File
 11 Responsive Pleading to First Amended Complaint. *See* Docket No. 9, p. 3, lns. 2-9 and Docket
 12 No. 68. The remaining provisions of the Temporary Restraining Order shall remain in effect.

13 15. As Plaintiffs and Certain Defendants continue to work towards a settlement of this
 matter, they further stipulate and agree as follows:

14 a. to extend Certain Defendants up to and including July 23, 2024, to file
 15 their responsive pleading.

16 i. TRO Defendants’ and Waiver Defendants’ current deadline was
 17 May 24, 2024.

18 ii. This is the fourth request of the parties to extend the responsive
 19 pleading deadline of TRO Defendants and the second request for Waiver Defendants.

20 b. to extend the expiration of the Temporary Restraining Order (Docket No.
 21 9) from June 14, 2024, at 5:00 p.m. until August 13, 2024, at 5:00 p.m.

22 i. This is the parties’ fourth request to extend this deadline.

23 c. to extend the deadline for TRO Defendants’ Response to Plaintiffs’
 24 Motion for Preliminary Injunction to July 29, 2024, by 5:00 p.m. with Plaintiffs’ Reply being
 25 due on August 2, 2024, by 5:00 p.m.

26 i. TRO Defendants’ Response to Plaintiffs’ Motion for Preliminary
 27 Injunction is currently May 29, 2024, at 5:00 p.m.;

28 ii. Plaintiffs’ Reply is currently due June 3, 2024, at 5:00 p.m.;

